

EXHIBIT I

To Millian Declaration

Biographies of Gibson Dunn Attorneys

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Randy M. Mastro

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PRACTICES

Litigation
Appellate and Constitutional Law
Crisis Management
Health Care and Life Sciences
Media, Entertainment
and Technology
Securities Enforcement
Securities Litigation
Transnational Litigation
and Foreign Judgments

EDUCATION

University of Pennsylvania, 1981
Juris Doctor
Yale University, 1978
Bachelor of Arts

Randy M. Mastro is Co-Chair of the Firm's Litigation Practice Group, which *The American Lawyer* just named "The Litigation Department of the Year." He also Co-Chairs the Firm's Crisis Management Group, and serves on the Firm's Management and Executive Committees. He is routinely ranked among New York's leading litigators and trial lawyers in surveys of corporate counsel and other practitioners. In *Chambers USA*, he was named one of New York's top commercial litigators, praised for his "exceptional public reputation," and described as a "tough, smart," and an "outstanding" litigator who "delivers fantastically well in court," has "tremendous presence in the courtroom," is "extremely savvy and experienced," "creates cogent and powerful arguments," and is "unafraid" of challenging cases. Moreover, in *The Legal 500 - US Edition*, he was featured among the top ten "leading trial lawyers" in the country, with corporate counsel saying he is "immensely impressive," "simply excellent," "flawless," "captivating," and in "a league of his own" in the courtroom, and "deserves an Academy Award" for "bringing a sense of drama and theater to his courtroom appearances." Recently, Mr. Mastro was named among the nation's leading commercial litigators in the 2011 edition of *The Best Lawyers in America*, *The International Who's Who of Commercial Litigation*, *New York Magazine's Best Lawyers in New York*, as a "national litigation star" in the 2010 edition of *Benchmark Litigation, the Guide to America's Leading Litigation Firms and Attorneys*, a "Super Lawyer" in *New York Super Lawyers 2011* and was recognized as one of the "500 Leading Lawyers in America" in the 2011 edition of the *Lawdragon Magazine*. Among many high-profile matters, Mr. Mastro led the successful effort to defeat the New York City's controversial West Side Stadium project, and he is currently representing Chevron in seeking to prevent enforcement of an \$18 billion Ecuadorian judgment. He has tried dozens of cases in private practice and as a federal prosecutor in the Southern District of New York, and he has also argued more than 70 appeals in federal and state appellate courts throughout the country.

Mr. Mastro has represented such clients as Amazon.com, Bank of New York Mellon, Empire Blue Cross Blue Shield/Well Point, AIG, Daimler, Chevron, Wynn, Park Place/Caesar's/Harrah's, Madison Square Garden, Cablevision, Dow Jones, Verizon, Home Depot, Quest Diagnostics, IAC/Home Shopping Network, Bear Stearns, Empire Merchants, Edison Schools, Edison Properties, Forest City Ratner, Georgetown, Peter Kalikow, Saks, Ziff Davis, UBS Financial Services, Hewlett-Packard, Prudential Securities, Lehman Brothers, Xerox, Octagon, Martina Hingis, Anna Kournikova, and Steffi Graf.

Before returning to Gibson Dunn in 1998, Mr. Mastro served as New York City's Deputy Mayor for Operations. In that capacity, he was responsible for overseeing all of the City's operating agencies and budget and served as the Mayor's chief liaison with elected officials. In the Mayor's absence, he was authorized to act on the Mayor's behalf. During his years in the Giuliani administration from 1994 to 1998, Mr. Mastro spearheaded the City's initiatives to remove organized crime from the Fulton Fish Market, the private carting industry, and the San Gennaro Festival. He also oversaw the successful turnaround of New York City's Off-Track Betting Corporation. For two consecutive years, NY 1-TV named Mr. Mastro one of City government's "Winners of the Year," and *Manhattan File* magazine featured him as one of the "45 Most Powerful New Yorkers 45 and Under."

In the early 1990s, Mr. Mastro was a litigation partner in Gibson Dunn's New York office. In 1990, he served as Associate Counsel on the Independent Counsel investigation of HUD Secretary Samuel Pierce. In 1991, he was appointed Special Master and Monitor of the assets of a Saudi tycoon implicated in the BCCI scandal.

From 1985 to 1989, Mr. Mastro served as Assistant United States Attorney and Deputy Chief of the Civil Division in the U.S. Attorney's Office for the Southern District of New York, where he specialized in organized crime cases and spearheaded the federal government's landmark racketeering suit that

ADMISSIONS

New Jersey Bar
New York Bar

compelled the International Brotherhood of Teamsters to hold democratic elections and to undergo court supervision. He received the Attorney General's Distinguished Service Award, and *Seven Days* magazine cited him as one of "the 25 prosecutors and defenders other lawyers most admire, fear and talk about."

After graduating *cum laude* from Yale College and the University of Pennsylvania Law School, where he was the school's moot court champion, Mr. Mastro served as law clerk to Justice Alan B. Handler of the New Jersey Supreme Court. Then, from 1982 to 1985, Mr. Mastro was a litigation associate at Cravath, Swaine & Moore, where he was part of the successful libel defense trial team in *Westmoreland v. CBS*.

From 1989 to 1993, Mr. Mastro was also an adjunct associate professor at Fordham Law School, where he taught complex civil litigation. He has authored articles in the *Federal Communications Law Journal*, *Fordham Law Review*, *University of Michigan Journal of Law Reform*, and *Seton Hall Law Review*. His op-ed pieces have appeared in the *New York Times*, *Daily News*, and *New York Post*, and he has also written for the *Washington Post* and *Time*.

Mr. Mastro is a member of the bars of New York, New Jersey, Pennsylvania, and many federal courts. He served on the Federal Courts Committee of the New York County Lawyers Association and chaired two New York City Charter Revision Commissions. In addition, Mr. Mastro serves as Vice Chair of the Board of the Legal Aid Society of New York City, as well as on the Boards of the Citizens Union of the City of New York, Hamptons International Film Festival, YMCA of Greater New York, Jewish Children's Museum, and University of Pennsylvania Law School Board of Overseers. He has also served on the Advisory Board of the Center for New York City Law.

Major Litigation Matters Handled by Randy Mastro

Chevron – Won dismissal of the Republic of Ecuador's petition seeking to stay an international treaty arbitration brought by Chevron to compel Ecuador to have to litigate before an impartial forum to remedy Ecuador's violations of international law, including its efforts to influence the Ecuadorian judiciary to impose a multi-billion dollar judgment on Chevron and its pursuit of criminal charges against Chevron attorneys, in the latest chapter of a 17-year litigation saga on multiple fronts over environmental damage in the Amazon that Ecuador agreed to remediate but has since failed to redress. Obtained a ruling from the Second Circuit ordering a filmmaker to immediately turn over outtakes from "Crude," a film about the litigation.

Home Depot – Representing Home Depot in a series of litigations in states around the country that have denied Home Depot refunds on monies that it remitted as sales tax in connection with its private label credit card program but consumers then defaulted on those transactions.

Amazon.com – Representing Amazon.com in constitutional challenge to new New York State law that requires out-of-state online retailers to collect sales tax on transactions with New York consumers.

Bear Stearns – Representing Bear Stearns in 100 securities class actions and shareholder derivative litigations involving IPO allocation and research analyst issues. Won dismissal of shareholder derivative action against Bear Stearns and its directors over alleged research analyst conflicts. Represents Bear Stearns officers and directors in shareholder derivative actions over sub-prime issues.

Daimler/Chrysler Directors – Successfully represented former directors of Daimler and Chrysler, who were alleged by the Chrysler Creditors Committee to have breached a fiduciary duty when Daimler transferred a majority stake of Chrysler to the private equity firm Cerberus. Within days of oral argument on a motion to dismiss the complaint brought in connection with the Chrysler bankruptcy, the Creditors Committee agreed to voluntarily dismiss.

Wynn Resorts – Representing Wynn Resorts in a financial dispute with Atlantic-Pacific Capital, Inc. (APC), that APC originally sought to submit to arbitration, but that Wynn has since moved to federal court in Nevada and obtained a stay of arbitration.

Dow Jones & Company, Inc. – Defending Dow Jones in a consumer class action in the Southern District of New York brought on behalf of a putative nationwide class of annual WSJ.com subscribers regarding access to Barron's Online.

Bank of New York Mellon – Representing BNY on the appeal of a bankruptcy court decision that affects billions of dollars in transactions in the Lehman bankruptcy proceeding. The bankruptcy court's decision caused turmoil in the international securitization markets by invalidating market-standard provisions in credit default swap agreements that were designed to protect those who invested in Lehman products. BNY is the trustee over the collateral securing those products; both

the current noteholders and a Lehman subsidiary are now claiming priority to that collateral. English courts have thus far found that the current noteholders are entitled to priority; the bankruptcy court found for Lehman.

Empire Blue Cross Blue Shield/WellPoint – Successfully defended Empire in an action by pension funds that sought more than \$6 million in rebates rightfully earned by Empire, securing a dismissal from the bench at oral argument of all causes of action with prejudice. Also, substantial recoveries for Empire against employer and union funds that were defrauding Empire by enrolling “sham” members; successfully defended Empire in action by excess malpractice insurers seeking \$75 million in damages; blocked class certification in major pain treatment coverage case; defended Empire in two ERISA trials; represented Empire in patent infringement litigation over Empire’s on-line claim in-take procedure and achieved favorable settlement for Empire.

AIG/United Guaranty – Defending United Guaranty in a suit brought by SunTrust Mortgage Inc. over insurance coverage, removed to federal court in the E.D. of Virginia, in which sanctions are now being sought against SunTrust seeking dismissal of its case.

Madison Square Garden/Cablevision – Represented the Garden and others in litigations and lobbying efforts challenging and ultimately defeating New York City’s sweeping proposal to build a new stadium for the New York Jets on Manhattan’s West Side; successfully defended Cablevision and the Garden in \$100 million antitrust suit brought by the New York Jets over their failed stadium bid; represented the Garden in damages phase of Isiah Thomas sexual harassment case and negotiated global settlement of case.

IAC/Home Shopping Network – Successfully defended IAC’s Home Shopping Network against claims brought in federal court by a competitor alleging trade secret infringement and breach of contract over a “falling price” auction channel launched by Home Shopping Network, and won summary judgment dismissing trade secret claims on the eve of trial.

Verizon – Obtained summary judgment for Verizon in a New York franchise tax case brought by the City of New York seeking to force Verizon to enter into a separate municipal franchise agreement and pay an annual sum in addition to the nine-figure sum it was already paying. Verizon filed a motion to dismiss, which was converted to a motion for summary judgment. In 2009, the Court (Hon. Ira Gammerman) ruled that Verizon, through its predecessors, had obtained a franchise from the State of New York to operate a telecommunications business and that said franchise had no temporal limit.

Rusal – Won dismissal on *forum non conveniens* grounds of billion-dollar civil action in the S.D.N.Y. against Russia’s largest aluminum manufacturer alleging fraud in the Nigerian government’s award of its national aluminum franchise.

Nursing Personnel Homecare – Defended Nursing Personnel, a Brooklyn-based home health aide agency and its COO against overbilling and other charges by the New York Attorney General. Convinced a state court judge to keep the indictment under seal and developed a compelling argument that the defendants had acted in good faith and in accordance with existing Department of Health regulations. Also uncovered exculpatory information that the prosecutors failed to disclose, leading to the dismissal of the felony criminal case against the company and the COO.

Peerless Importers/Empire Merchants – Won unanimous federal appellate victory for Peerless as intervenor-defendant upholding the constitutionality of New York State’s ban on direct shipments of out-of-state wines to in-state consumers, but such state laws were ultimately overturned by U.S. Supreme Court in a 5 - 4 decision; successfully defended Peerless in class action brought by delinquent retailers seeking a price preference afforded to prompt payors.

Park Place/Caesar’s/Harrah’s – Won dismissal and New York Court of Appeals affirmation of state constitutional litigation challenging New York State’s plan to permit Indian casino gaming, and then won affirmation of that dismissal in the New York Court of Appeals.

Greater New York Hospital Association – Prosecuted state constitutional litigation against Governor Pataki over his selective veto use within comprehensive State budget and impoundment of Medicaid funding, and the pendency of the case ultimately forced the Governor to compromise with the State Legislature.

Xerox – Won appeal vacating a New York City Department of Education contract award that would have stripped Xerox of its long-standing franchise as the school system’s provider of copying services.

Peter Kalikow – Headed litigation team for Peter Kalikow in his bankruptcy proceeding, the largest individual debtor bankruptcy in history; also successfully litigated issues for Kalikow relating to *New York Post* sale; won sanctions for Kalikow against Sheldon Solow and Mark Dreier for contempt of bankruptcy court order.

Edison Properties – Won unanimous appellate victory for Edison and other adjoining private property owners permitting demolition of New York City's High Line without ULURP review; won court ruling compelling New York State to admit an Edison-owned westside property into the "Brownfields" benefit program.

Laro Services – Won high-profile litigation against the Bloomberg administration forcing the rehiring of the unloading firm that the Giuliani administration first hired in its reform initiative to rid New York City's infamous Fulton Fish Market of organized crime corruption.

Hunts Point Cooperative Market – Won ruling requiring the Bloomberg administration to regulate wholesale produce businesses outside the Cooperative Market, as required under anti-corruption legislation passed during the Giuliani administration; won five-week trial voiding City land deal and requiring rebidding of "sham" competition, but appellate court later found the Cooperative lacked standing because of the insufficiency of its bid.

Oak Point – Obtained preliminary injunction against the Bloomberg administration to block its plan to condemn Oak Point's valuable waterfront property to build a City jail there, causing the public project to be abandoned.

Working Families Party/DFS Voter Lawsuit – Successfully represented Staten Island voters pro bono in a suit that exposed election law violations by the Working Families Party. The suit resulted in a settlement that forced the Working Families Party to relinquish its control over its corporate arm, Data and Field Service, Inc. (DFS) through which it provided cut-rate campaign services and skirted local campaign finance laws, and to see to it that DFS operated independently going forward.

Term Limits Litigation – Challenged New York City legislation overturning the voter-ratified two-term limit that permitted Mayor Bloomberg and the City Counsel to seek a third term.

Palmet Ventures – Won dismissal on personal jurisdiction grounds of breach of contract action brought in the S.D.N.Y. against Illinois firm over its decision to sell its Chicago hotel to a party other than the New York-based plaintiff.

Kaufman Organization – Representing the Kaufman Organization in federal environmental litigation seeking to block the MTA from building a power facility and staging area in Midtown Manhattan as part of a major public works project to extend the LIRR into Grand Central; forced the MTA to withdraw its plan and conduct an "environmental assessment" before deciding how to proceed.

Edison Schools – Defended Edison in several cases including securities class action and shareholder derivative litigations over accounting practices.

Multicultural Broadcasting – Represented station owner in a series of actions over removal of liberal talk radio, "Air America," from the air in Chicago and Los Angeles.

Lee Strasberg Institute – Won trademark litigation for the Institute, founded by famous actor and acting teacher, Lee Strasberg, over a former student's misuse of the Strasberg mark as a domain name.

Anna Kournikova – Represented Anna Kournikova in misappropriation and privacy action against *Penthouse Magazine* for publishing a piece about the tennis star in which it featured nude photographs of another woman misidentified as Kournikova.

Martina Hingis – Represented Martina Hingis in product liability action against Tacchini, the Italian sports clothing manufacturer, over defectively designed tennis shoes; successfully represented Hingis and her coach-mother in action to require the USTA and WTA to afford her coach-mother access to the women's locker room during the 2000 U.S. Open.

Octagon – Represented Octagon as New York City's agent in litigation and negotiations over the City's award of an exclusive sponsorship agreement to Snapple; represented Octagon in several breach of contract actions involving athlete representations.

Kmart – Represented more than 20 present and former Kmart officers in connection with SEC investigation and related Justice Department investigation of Kmart accounting and disclosure issues.

Ziff Davis – Defended Ziff Davis in suit brought by former executive seeking \$40 million in damages; successfully represented Ziff Davis in obtaining injunction to prevent another former executive from violating a non-compete agreement and misappropriating trade secrets.

AIG – Served as national coordinating counsel for mass tort asbestos litigation.

Newsday/Times Mirror/Tribune – Represented *Newsday* in action brought by the *Daily News* to prevent its Queens distributors from delivering *Newsday*; representing *Newsday* and *Tribune Co.* in commercial litigation and freedom of information cases.

Gristedes – Represented Gristedes in federal class action brought by delivery workers alleging wage violation and suing major retail chains on a “joint employer” liability theory.

9/11 Firefighters Families – Representing more than 20 percent of the families of fallen firefighters lost in the September 11 terrorist attack on the World Trade Center in a dispute with the Uniform Firefighters Association over the union’s refusal to distribute \$60 million in donations intended for those families.

Parkshore/Lawrence Friedman – Defended Parkshore, a nursing home and adult day health care facility, in the largest Medicaid fraud case ever brought by the New York Attorney General’s Office; secured a plea disposition and civil settlement in which Parkshore remained in operation under its same family ownership.

Wall Street Journal/Dow Jones – Won dismissal of libel action brought by former *Wall Street Journal* reporter over Dow Jones’ public statements about his departure; won acquittal for *Journal* employee accused of criminal trespass.

U.S. v. International Brotherhood of Teamsters – Headed federal government’s civil racketeering suit that compelled International Brotherhood of Teamsters to hold democratic elections and undergo court supervision; case was cited by *The American Lawyer* as one of the “ten biggest suits” of the decade.

Westmoreland v. CBS – Was part of trial team that successfully defended CBS during six-month jury trial of libel suit brought by General Westmoreland; case was cited by *The American Lawyer* as one of the “ten biggest suits” of the decade.

BCCI Investigation – Served as federal court-appointed Special Master/Monitor of assets of Gaith Pharaon, a Saudi tycoon implicated in the BCCI scandal.

Saks – Won substantial recovery for Saks in civil racketeering action against a Saks executive who took kickbacks and rigged bids on Saks capital projects; conducted investigation that led to that civil action and criminal prosecution.

Oldcastle – Defended Oldcastle in product liability and consumer fraud action that settled during trial for a small fraction of the damages originally sought.

Intelligent Electronics – Represented Intelligent Electronics in major federal securities fraud class action suit; won partial dismissal of suit.

Rudolph Giuliani – Was outside counsel to the 1993 Giuliani mayoral campaign; won victories that required the Dinkins campaign to pay more than \$500,000 in fines and reimbursement under New York City’s campaign finance law; represented Giuliani Partners in legal dispute.

HUD Investigation – Served as Associate Counsel during the first six months of the Independent Counsel investigation of former HUD Secretary Samuel Pierce.

Steffi Graf – Brought successful suit on behalf of the Graf family to prevent a rich eccentric tennis fan from harassing them during the U.S. Open.

KCAL Disney – Represented KCAL, a Los Angeles TV station, in litigation with the syndicator of The Sally Jessy Raphael Show over future broadcast rights.

Merv Griffin/Resorts – Defended Griffin in wrongful discharge suit brought by fired Griffin executive; defended Griffin in suit brought by former employee for breach of contract to provide lifetime support; successfully litigated adversary proceedings in Resorts bankruptcy.

HHL Financial Services – Won injunction after six-week trial for nation’s largest debt collection business against two executives/attorneys who left the company to engage in debt collection work in violation of non-compete agreements.

City of Yonkers – Brought successful action to recover monies and end contract into which prior administration entered just after losing last election.

United Press International – Was part of team that obtained injunction to prevent Reuters from ending its photo-sharing agreement with UPI.

Janet Morgan – Represented school teacher discharged for giving her students assignment on whether CBS should have fired Jimmy “the Greek” Snyder over his remarks about black athletes; won reinstatement, back pay.

“Blue Thunder” Case – Successfully defended in four-week jury trial undercover police detective accused of brutality in arresting drug dealers.

Wellington Advertising – Represented Wellington in the New York Court of Appeals on issue of a finder’s legal duty to client sellers.

Other Bankruptcy Litigation – Represented Financial News Network and Resorts International on litigation matters resolved in their bankruptcies.

Internal Investigations – Retained by Metromedia, Saks, and HHL Financial Services to conduct internal investigations and report findings to management.

U.S. v. Hadar – Successfully prosecuted federal government's first action under new postal fraud statute barring mail order business from further distribution of its products in the U.S. and recovering millions of dollars for defrauded consumers.

Westway – Was part of trial team that represented Army Corps of Engineers during three-month trial of environmental suit challenging Westway project.

Other RICO Actions for Federal Government – Obtained trustee over local concrete union dominated by organized crime; won receiver over infamous Little Italy restaurant, Umberto's Clam House; recovered \$2 million from Genovese Organized Crime Family Capo Matthew "Matty the Horse" Ianniello.

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PRACTICES

Litigation
Antitrust and Trade Regulation
Intellectual Property
Media, Entertainment
and Technology

EDUCATION

University of Puget Sound, 1980
Juris Doctor
Santa Clara University, 1973
Bachelor of Arts

ADMISSIONS

California Bar

William E. Wegner joined Gibson, Dunn & Crutcher in 1980 after graduating first in his class from the University of Puget Sound School of Law, and became a partner in 1987. He is a trial lawyer with extensive experience in commercial, antitrust, intellectual property, media and entertainment, and products liability litigation. Mr. Wegner has represented clients in civil and criminal litigation, including antitrust and Lanham Act, class actions, trademark/copyright, patent, products liability, employment discrimination, publicity rights and comparative advertising cases. He also has handled several environmental and construction cases involving federal and California OSHA and the Air Quality Management District.

Mr. Wegner serves as general counsel to Tricor Entertainment at Paramount Studios. He has been identified as one of the Top 100 Lawyers in Los Angeles by the *Los Angeles Business Journal*.

Mr. Wegner is a former hospital administrator (Captain, U.S. Army Medical Service Corps), Chairman of the Executive Committee of the President's Council to the Los Angeles Area Chamber of Commerce and a member of that organization's Government Affairs Committee. He is a past President of the Association of Business Trial Lawyers, and he is a regular faculty member of The Rutter Group, speaking often at programs about evidence and trial practice. Mr. Wegner also serves on the Board of the Los Angeles Shakespeare Festival.

Mr. Wegner is co-author of the multi-volume *California Practice Guide - Civil Trials and Evidence*, and the multi-volume *Federal Practice Guide - Civil Trials and Evidence*, both published by The Rutter Group. Other publications include: *Relationships Among Competitors in Restraint of Trade - Horizontal Price Fixing* (Practicing Law Institute) and "Challenging the Judge: Fifty Ways to Leave Your Judger" (ABA Litigation Magazine).

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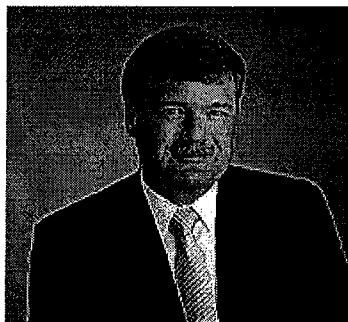
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PRACTICES

Litigation
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Appellate and Constitutional Law
Insurance and Reinsurance
Intellectual Property
Legal Malpractice Defense
Securities Enforcement
Securities Litigation

EDUCATION

Yale University, 1983
Juris Doctor
University of California - Berkeley,
1980
Bachelor of Arts

John C. Millian is a partner in Gibson, Dunn & Crutcher's Washington, D.C. office. Mr. Millian has served as Partner-In-Charge of Gibson, Dunn's Washington office, and as a member of the Firm's governing Executive Committee. He has been named a Washington "top lawyer" by *Washingtonian Magazine* and a leading practitioner in securities litigation by *Superlawyers.com*, based on peer-review surveys. While Mr. Millian's practice focuses primarily on trial court litigation, he has also argued appeals before six of the twelve federal courts of appeals nationwide.

Mr. Millian's securities litigation practice includes the representation of issuers, directors and officers, underwriters, accounting firms, law firms, and broker-dealers in securities class action lawsuits, as well as in related derivative litigation and government investigations. Mr. Millian also represents companies and board members in litigation challenging merger and acquisition transactions, and represents board committees in internal corporate investigations. In addition, Mr. Millian provides corporate governance and securities disclosure advice and D&O insurance counseling to clients both in the United States and abroad. Mr. Millian has spoken on securities litigation matters at conferences in cities across the United States, and is a contributing author to *Securities Litigation: A Practitioner's Guide* (PLI 2006).

Mr. Millian also has extensive experience in financial institutions litigation and other banking and insurance-related matters, including as lead trial lawyer in multi-month trials. Mr. Millian's practice in this area has included recovering \$33.8 million from the federal government for investors who recapitalized a failing thrift, persuading the government to drop claims brought against the director of a financial institution seized by regulators, and serving as counsel to the audit committee of a commercial bank, including conducting an internal investigation into practices by a mortgage-lending subsidiary. Mr. Millian has also represented clients in major mortgage insurance and trade credit insurance coverage disputes.

Mr. Millian's practice also includes representing clients in antitrust litigation, accounting and legal malpractice defense, and other complex commercial and finance-related litigation.

Mr. Millian is a member of the boards of directors of the Council For Court Excellence and the Wesley Seminary Foundation, and he serves on a *pro bono* basis as outside general counsel to Wesley Theological Seminary.

Mr. Millian is an active member of the District of Columbia bar, and is also admitted to practice before the United States Supreme Court and before numerous other federal appellate and trial courts. Mr. Millian received his Bachelor of Arts in economics from the University of California at Berkeley in 1980, graduating with highest honors. In 1983, he received his law degree from Yale Law School. Prior to entering private practice, Mr. Millian served as law clerk to United States District Judge Gerhard A. Gesell in Washington, D.C.

Representative securities and derivative-related matters include:

Vidmar v. Integral Systems, Inc. Mr. Millian represents Integral Systems, Inc. and certain officers of the company in a class action securities suit pending in Maryland federal court.

Sunrise Senior Living, Inc. Securities Litigation; Sunrise Senior Living, Inc. Derivative Litigation. Mr. Millian represents Sunrise Senior Living's current board members and senior officers, as well as certain former directors and officers, in class action and derivative lawsuits brought in Washington, D.C. federal court and in derivative litigation brought in Delaware Chancery Court. These cases were recently settled, subject to court approval, at no out-of-pocket cost to our clients.

ADMISSIONS

District of Columbia Bar

King Pharmaceuticals, Inc. Securities Litigation; King Pharmaceuticals, Inc. Derivative Litigation. Mr. Millian represented King Pharmaceuticals, a leading pharmaceuticals manufacturer, and certain of its officers and directors in class action securities litigation and related derivative litigation brought in Tennessee federal and state court. The plaintiffs in each set of cases asserted independent damage claims in excess of \$500 million each, but after extensive discovery both cases were settled within policy limits, with no financial contribution by any defendant.

Value Health, Inc. Securities Litigation. Mr. Millian represented Value Health, Inc., a managed health care provider, and certain related individuals in consolidated securities class action litigation in Connecticut federal court. The trial court granted summary judgment to defendants after full discovery, and this decision was affirmed on appeal by the United States Court of Appeals for the Second Circuit.

AirGate PCS, Inc. Securities Litigation. Mr. Millian represented AirGate PCS, a Sprint affiliate, and certain of its former officers in class action securities litigation currently pending in Georgia federal court. The court dismissed nearly all of plaintiffs' claims at the pleading stage, and the remainder of the case was settled for nuisance value funded by the insurance carrier.

Eastman Kodak Securities Litigation. Mr. Millian represented Eastman Kodak and certain of its officers and directors in class action securities litigation filed in New York federal court. The court dismissed the action at the pleading stage.

Neff Corp. Shareholders Litigation. Mr. Millian represented Neff Corporation and certain related individuals in a Delaware Chancery Court action challenging a merger transaction. The court dismissed the action at the pleading stage.

FAC Realty Securities Litigation. Mr. Millian represented FAC Realty, Inc., at the time one of the nation's largest owners and operators of factory outlet shopping centers, in consolidated securities class action litigation brought in North Carolina federal court. The court dismissed the action at the pleading stage.

Equitec Rollup Securities Litigation. Mr. Millian represented Dean Witter Reynolds, Inc., in a six-month class action securities litigation trial. The case settled, after the close of the evidence, on terms favorable to Dean Witter.

HomeGold/Carolina Investors Litigation. Mr. Millian represented the long-time outside law firm for HomeGold and its subsidiary, Carolina Investors, an investment company that collapsed in what became known as "the Enron of South Carolina" and led to multiple criminal convictions. Mr. Millian's client reached a very early settlement with counsel representing the receiver for the companies and the thousands of individual investors in Carolina Investors, and obtained court approval of the settlement. The settlement was later criticized by certain investor groups as unduly favorable to the law firm represented by Mr. Millian.

Internal Investigations. During the past two years Mr. Millian has conducted publicly-disclosed audit committee/special committee internal investigations addressing accounting and securities disclosure issues for The Mills Corporation, a leading developer of major shopping centers, and for Eclipsys Corporation, a leading provider of information solutions to hospitals and health systems. Mr. Millian also led additional non-public internal investigations for other clients.

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PRACTICES

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Intellectual Property
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Media, Entertainment
and Technology

EDUCATION

Duke University, 1994
Juris Doctor
Yale University, 1991
Bachelor of Arts

ADMISSIONS

Christopher D. Dusseault is Co-Partner in Charge of the Los Angeles office of Gibson, Dunn & Crutcher. He is a member of the firm's Litigation Department and its Antitrust and Trade Regulation and Media and Entertainment Practice Groups. Mr. Dusseault's practice focuses on antitrust and competition law litigation and counseling, as well as general complex commercial litigation. Mr. Dusseault also recently served as trial counsel in *Perry v. Schwarzenegger*, a federal constitutional challenge to the California ballot initiative that stripped gay and lesbian individuals of the right to marry.

Mr. Dusseault has significant experience in a wide range of antitrust litigation matters. He has represented clients in the entertainment, aviation, automotive, medical device and pharmaceutical industries in cases involving charges of monopolization, conspiracy and price discrimination. Mr. Dusseault has served as lead counsel and on trial teams before numerous federal and state courts, and he has argued appeals before the United States Court of Appeals for the Ninth Circuit and the California Court of Appeal. Mr. Dusseault also has provided antitrust counseling and compliance training to some of the world's largest companies and has spoken and written on various antitrust subjects.

In addition to his antitrust work, Mr. Dusseault also has extensive experience in trial-oriented, complex commercial and constitutional litigation. Mr. Dusseault has litigated matters involving breach of contract, breach of fiduciary duty, trade secret misappropriation, patent ownership, fraud and civil rights.

In January 2010, Mr. Dusseault was named one of California's "Top 20 Under 40" by the legal publication *Daily Journal*. The *Daily Journal* cited Mr. Dusseault's work on the Perry litigation, his successful defense of a major antitrust lawsuit for Tyco Healthcare Group, and his leadership of Gibson Dunn's Los Angeles offices. In April 2009, Mr. Dusseault was honored by Duke Law School with its "Young Alumni Award," given to a graduate from the last 15 years for distinguished service to the legal profession and to the school.

Mr. Dusseault's representative matters include the following:

Representation of Tyco Healthcare Group in *Allied Orthopedic Appliances v. Tyco Healthcare Group*, a consolidated antitrust class action in which direct purchasers of pulse oximetry products challenged business practices including loyalty discounts, sole-source contracting and product design changes under Sections 1 and 2 of the Sherman Act. Mr. Dusseault served as lead trial counsel in this matter, leading a team that first defeated plaintiffs' motion for class certification and then won summary judgment on all claims. This victory was affirmed by the United States Court of Appeals for this Ninth Circuit.

Representation of CFM International, Inc. (a joint venture of GE Aircraft Engines and Snecma) in *Aviation Upgrade Technologies, Inc. v. Boeing et al.*, 78 Fed. Appx. 223 (9th Cir. 2003), in which plaintiff brought claims under Section 1 of the Sherman Act challenging defendants' decision not to sell aircraft engines to plaintiff for use in the re-engining of 727 aircraft. Mr. Dusseault was the primary author of CFM's successful summary judgment motion, and he argued the appeal before the United States Court of Appeals for the Ninth Circuit. The Ninth Circuit affirmed the grant of summary judgment.

Representation of Plaintiffs in *Perry v. Schwarzenegger*, the historic lawsuit challenging the constitutionality of California's Proposition 8, which stripped gay and lesbian individuals of their previously recognized right to marry. Mr. Dusseault acted as the "field marshal" for a team that

California Bar

includes dozens of lawyers, supervising and coordinating fact discovery, expert reports, and pre-trial preparation. Mr. Dusseault was a key member of the Perry trial team, putting on testimony from two of Plaintiffs' key expert witnesses and handling an evidentiary presentation that led to the admission of significant campaign videos and documents

Representation of the Co-CEOs of a limited liability company engaged in algorithmic trading in an arbitration involving claims of breach of contract and breach of fiduciary duty. Mr. Dusseault first-chaired the five-day trial. The Arbitrator ruled in favor of Gibson, Dunn's clients on all claims and denied all requested relief. Mr. Dusseault subsequently won an award of nearly \$3 million in attorneys' fees and costs for his clients.

Representation of defendants in *World Wide Medical Technologies, et al. v. North American Scientific and World Wide Medical Technologies, et al. v. IdeaMatrix and Richard A. Terwilliger*, consolidated actions in which plaintiffs brought claims of patent infringement and trade secret misappropriation and sought declaratory relief as to patent ownership. Mr. Dusseault was lead counsel in these actions and first-chaired a multi-day preliminary injunction hearing after which the district court ruled in defendants' favor.

Representation of Sony Corporation in *Wuxi Multimedia, Ltd., et al. v. Koninklijke Philips Electronics, N.V., et al.*, in which plaintiffs challenged under the federal antitrust laws the patent licensing program through which the defendants made their DVD technology available to manufacturers around the world. Sony and the other defendants won dismissal of all of all claims and subsequently won affirmance before the United States Court of Appeals for the Federal Circuit.

Representation of Warner Music Group in *Radikal Records v. Warner Music Group* and *TSR Records v. Warner Music Group*, in which plaintiffs, both independent record labels, sued Warner Music under the federal antitrust laws and California tort law based on alleged "payola" practices with respect to radio airplay. Warner Music successfully moved to dismiss plaintiffs' state law claims for intentional interference with prospective economic advantage.

Representation of Sony Pictures Entertainment and Sony Corporation of America in *Intertainer, inc. v. Time Warner Inc., et al.*, in which plaintiff Intertainer, a provider of video-on-demand services, accused the major motion picture studios of utilizing their movie downloading joint venture, Movielink, to illegally fix the prices that video-on-demand services would pay for their content. The case settled shortly before trial.

Representation of Columbia Tri-Star Home Entertainment, Inc. in *Eddins v. Sumner Redstone, et al.*, in which independent video retailers sued the home video divisions of the major motion picture studios challenging the revenue-sharing model by which videotapes are distributed to the major video chains such as Blockbuster and Hollywood Video. Columbia and the other defendants obtained partial summary judgment, winning dismissal of plaintiffs' claims that the defendants conspired to deny to plaintiffs the revenue sharing terms made available to Blockbuster.

Representation of American Airlines in *United States v. AMR Corp.*, 140 F. Supp. 2d 1141 (D. Kan. 2001), aff'd, 335 F.3d 1109 (10th Cir. 2003), in which American obtained summary judgment in an alleged monopolization and predatory pricing case brought by the U.S. Department of Justice.

In addition to his role as Co-Partner in Charge of the firm's Los Angeles office, Mr. Dusseault also serves on the firm's Hiring Committee, where he chairs the Summer Subcommittee that oversees the firm's summer associate program nationwide. Mr. Dusseault is also actively involved in the community, serving on the Governing Board of LA's BEST, a nationally recognized after school program.

Mr. Dusseault received his B.A. degree *summa cum laude* from Yale University in 1991. He received his J.D. degree with high honors from Duke University School of Law in 1994, where he was Special Projects and Notes Editor of *Law and Contemporary Problems* and Vice-Chairman of the Moot Court Board. Prior to joining the firm, Mr. Dusseault served as law clerk to The Honorable Robert E. Payne in the United States District Court for the Eastern District of Virginia.

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PRACTICES

Securities Litigation
Appellate and Constitutional Law
Intellectual Property
Litigation
Media, Entertainment
and Technology

EDUCATION

Columbia University, 1995
Juris Doctor
Cornell University, 1992
Bachelor of Arts

ADMISSIONS

New York Bar

Jennifer L. Conn is a partner in the New York office of Gibson, Dunn & Crutcher LLP. She is a member of the firm's Litigation, Securities Litigation, and Appellate Practice Groups.

Ms. Conn is a commercial litigator, who has extensive experience in a wide range of complex commercial litigation matters, including those involving securities, accounting malpractice, contracts, insurance, and information technology. Ms. Conn has extensive experience representing companies and individuals in securities fraud class actions. Ms. Conn also has represented several accounting firms in various actions and regulatory investigations in the United States and abroad.

Prior to joining Gibson, Dunn & Crutcher, Ms. Conn was an associate with Cravath, Swaine & Moore in New York. She also was a law clerk for the Honorable Lawrence M. McKenna, United States District Judge for the Southern District of New York.

Ms. Conn received her Juris Doctor from Columbia University School of Law in 1995. She was a Harlan Fiske Stone Scholar. She graduated, *cum laude* with distinction in all subjects, from Cornell University, College of Arts and Sciences, in 1992, with a Bachelor of Arts in Government.

Ms. Conn is admitted to practice in the State of New York, the United States District Courts for the Southern and Eastern Districts of New York, the United States Courts of Appeal for the Second and Eighth Circuits, and the United States Supreme Court. Ms. Conn is a member of the pro bono panel for the United States Court of Appeals for the Second Circuit.

Ms. Conn's recent significant representations include the following:

Representing Marsh & McLennan Companies, Inc. and Marsh Inc. in a consolidated securities class action in the United States District Court for the Southern District of New York and in various state actions around the country, relating to allegations first made by the New York Attorney General relating to misconduct in connection with insurance placements.

Representing several issuers and individuals in a consolidated securities class action in the United States District Court for the Southern District of New York concerning allegations relating to the issuers' initial public offerings.

Representing the Canadian firm of PricewaterhouseCoopers LLP in a securities class action pending in the United States District Court for the Southern District of New York.

Representing several accounting firms in connection with SEC civil actions and investigations of their clients relating to various issues, including allegations of accounting improprieties and subprime issues.

Representing the Cayman Islands firm of Deloitte & Touche LLP in several accounting malpractice actions in federal courts in Nebraska and Texas and in the Cayman Islands.

Representing the U.K. firm of Deloitte & Touche LLP in an accounting malpractice action in Florida state court.

Representing the Irish and Bermuda firms of Deloitte & Touche LLP in an accounting malpractice action in California state court.

Representing the Irish firm of Deloitte & Touche LLP in connection with disciplinary proceedings before the Irish Institute of Chartered Accountants.

Representing members of accounting firms as non-party witnesses in arbitrations and actions in the United States and abroad.

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PRACTICES

Litigation
Appellate and Constitutional Law

EDUCATION

University of Chicago, 1997
Juris Doctor

Williams College, 1992
Bachelor of Arts

ADMISSIONS

District of Columbia Bar

Thomas H. Dupree, Jr. is a partner in the Washington, DC office of Gibson, Dunn & Crutcher LLP. He is a member of the firm's litigation department and its Appellate and Constitutional Law practice group, and is the hiring partner for the DC office.

Mr. Dupree is an experienced trial and appellate advocate. He has argued more than 60 appeals in the federal courts, including in all thirteen circuits and before five en banc courts, and has represented clients throughout the country in a wide variety of trial and appellate matters, including cases involving punitive damages, class actions, product liability, arbitration, intellectual property, employment, and constitutional challenges to federal and state statutes.

In 2007, Mr. Dupree was appointed Deputy Assistant Attorney General. He served in the Civil Division at the U.S. Department of Justice from 2007 to 2009, ultimately becoming the Principal Deputy Assistant Attorney General. In that capacity, he served as the division's second-in-command, overseeing the more than 900 lawyers in the Civil Appellate, Commercial, Federal Programs and Torts branches, as well as the Office of Immigration Litigation and the Office of Consumer Litigation. Mr. Dupree was responsible for managing many of the government's most significant cases involving regulatory, commercial, constitutional and national security matters on behalf of virtually all of the federal agencies, the White House, and senior federal officials. Before being named the division's top deputy, Mr. Dupree ran its largest litigating branch, managing a staff of 280 lawyers.

In 2010, Mr. Dupree was named one of the top ten appellate litigators in the United States under age 40 by *Law360*. He received similar honors in 2009, when the *National Law Journal* and *Legal Times* selected him as one of the top 40 lawyers under 40 in Washington, DC, and in 2006, when *Washingtonian* magazine named him to its Top 40 Under 40 list. He has also been chosen as a national rising star by *Lawdragon* magazine, and *Legal Times* has called him "no stranger to high-profile work." Among other things, Mr. Dupree played a substantial role in the successful representation of George W. Bush before the United States Supreme Court in *Bush v. Gore*, and represented Time Inc. and Time's White House reporter Matthew Cooper in connection with the investigation into the leak of the identity of CIA operative Valerie Plame.

Other matters Mr. Dupree has handled include:

Persuading the Supreme Court to grant a petition for certiorari on behalf of a major automobile manufacturer and to vacate a \$290 million punitive damage award, which had been the largest personal injury award ever affirmed on appeal in United States history.

Successfully representing the government before the United States Court of Appeals for the Second Circuit in a constitutional challenge to post-9/11 national security registration programs operated by the Department of Homeland Security.

Winning an appeal on behalf of Jerry and Jessica Seinfeld in the United States Court of Appeals for the Second Circuit in a copyright and trademark case involving the New York Times #1 bestselling book *Deceptively Delicious*.

Mr. Dupree graduated *cum laude* from Williams College, and with Honors from the University of Chicago Law School, where he served as an Editor of the *University of Chicago Law Review*. After law school, he clerked for the Honorable Jerry E. Smith of the United States Court of Appeals for the Fifth Circuit.

Mr. Dupree appears frequently on national television as a legal analyst. He has appeared on CNN's "Situation Room," C-Span's "America & The Courts," and is a regular guest on Fox News Channel. He

has also been quoted in numerous print publications, including the *New York Times*, the *Wall Street Journal*, the *Los Angeles Times* and many others, discussing legal issues and developments.

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PRACTICES

Litigation
Government
and Commercial Contracts
Securities Litigation
White Collar Defense
and Investigations

EDUCATION

Judge Advocate General's School,
2005
Master of Laws (LL.M.)
University of Connecticut, 2000
Juris Doctor
University of Connecticut, 2000
Master of Public Affairs
US Military Academy, 1995
Bachelor of Science

Brian C. Baldrate is an associate in the Washington D.C. office of Gibson, Dunn & Crutcher. He is a member of the Litigation Department, where he focuses on white-collar criminal defense, complex commercial litigation, and government contracts litigation. Mr. Baldrate represents corporate and individual clients in criminal and civil matters in state and federal court, before the Department of Justice, the Securities and Exchange Commission, as well as before various other federal boards and agencies. His practice area includes matters involving public corruption, securities fraud, the False Claims Act, and the Foreign Corrupt Practices Act.

Mr. Baldrate has extensive federal trial experience focused on defense and national security. Prior to joining Gibson Dunn, Mr. Baldrate spent several years as a federal prosecutor for the Army. He led numerous criminal investigations and prosecutions, including over 40 bench and jury trials both in military courts-martial and in U.S. District Court for the District of Colorado. Mr. Baldrate deployed to Iraq where he led sensitive criminal investigations and prosecutions involving war crimes, fratricide, and detainee abuse. In Iraq, he worked to restore the Iraqi judicial system and helped bring the first-ever trial before the Central Criminal Court of Iraq. For those efforts Mr. Baldrate was awarded the Bronze Star Medal.

Mr. Baldrate also spent several years as a Special Assistant United States Attorney for the District of Columbia and a Special Trial Attorney for the Department of Justice. In that capacity he successfully defended whistleblower actions relating to the award of an Iraqi oil contract, a multi-million dollar explosion action under the Federal Tort Claims Act, and the release of contractor data under the Trade Secrets Act. He has also argued several appeals before the Court of Appeals for the D.C. Circuit. Mr. Baldrate was recently selected to serve on the National Institute of Military Justice Board of Advisors. Based on his numerous achievements he was also listed in *Who's Who in American Law*, 2007-2008.

Mr. Baldrate earned his B.S. from the United States Military Academy at West Point where he graduated on the Dean's list as a distinguished cadet. Following graduation from West Point Mr. Baldrate served as a cavalry officer where he commanded a scout platoon in helping defend and secure the Kuwait border. Later, he attended law school under the Army's Funded Legal Education Program and earned his J.D. from the University of Connecticut School of Law where he was valedictorian and Editor-in-Chief of the *Connecticut Law Review*. He simultaneously earned a masters in public administration from the University of Connecticut where he was the school's most outstanding graduate student. Subsequently, Mr. Baldrate earned a LL.M from the Army Judge Advocate General's School in military law with a specialization in criminal law.

Mr. Baldrate serves as an adjunct professor at George Mason School of Law teaching criminal procedure and pretrial practice. He is also a major in the U. S. Army Reserves. Mr. Baldrate is a member of the bars of the District of Columbia and the State of Connecticut. He is admitted to practice in the U. S. Supreme Court, the U. S. Court of Federal Claims and has appeared in various federal district courts including the Districts of Colorado, Hawaii, New Jersey, Oregon, and the District of Columbia.

Publications:

The Department of Justice's New Guidance on the Production of Exculpatory and Impeachment Evidence: A Piecemeal Approach to the Problem of Prosecutorial Misconduct, Bloomberg Law Reports, April 2010.

Recent Hedge Fund Enforcement Actions and Developments, Practising Law Institute, (with Barry R. Goldsmith), September 2008.

ADMISSIONS

Connecticut Bar
District of Columbia Bar

RECENT PUBLICATIONS

The Expanding Role of Deferred And Nonprosecution Agreements: The New Normal for Handling Corporate Misconduct

2010 Year-End Update on Corporate Deferred Prosecution and Non-Prosecution Agreements

2010 Mid-Year Update on Corporate Deferred Prosecution and Non-Prosecution Agreements

Federal Criminal Procedure - The Department of Justice's New Guidance on the Production of Exculpatory and Impeachment Evidence: A Piecemeal Approach to the Problem of Prosecutorial Misconduct

2009 Year-End Update on Corporate Deferred Prosecution and Non-Prosecution Agreements

More Publications

Uncle Sam Wants You...Again, (Chapter) in *The Veterans' Survival Guide* (2007)

Law and Order, (Chapter) in *Letters from the Front Lines: Iraq and Afghanistan* (2006)

The Supreme Court's Role in Defining the Jurisdiction of Military Tribunals: A Study, *Critique*, & *Proposal* for *Hamdan v. Rumsfeld*, 186 *Military Law Review* 1 (2005)

Imperial Hubris: Why the West Is Losing the War on Terror (Review), *The Army Lawyer*, (Feb. 2005)

Agency Law and the Supreme Court's Compromise on Hostile Environment Sexual Harassment, 31 *Connecticut Law Review* 1149 (1999)

Speaking Engagements:

Speaker, *When Things Go Wrong: How To Handle a Potential FCPA Violation*, FCPA: National Security, Corruption, and Contingency Contracting Conference hosted by The IPOA (September 2010)

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PRACTICES

Litigation
Government
and Commercial Contracts

EDUCATION

Georgetown University, 2002
Juris Doctor

Furman University, 1998
Bachelor of Arts

ADMISSIONS

District of Columbia Bar
Kentucky Bar
Virginia Bar

Christy K. Brennan is an associate in the Washington, D.C. office of Gibson, Dunn & Crutcher. She is a member of the firm's Litigation and Government and Commercial Contracts Practices. She has represented contractors, subcontractors and sureties, and has been involved in cases before various United States Court of Appeals and District Courts, the United States Court of Federal Claims, Boards of Contract Appeals, and the United States Government Accountability Office. She has also provided advice to clients on issues involving contract negotiations, claims analysis, and contract performance.

Ms. Brennan received her Juris Doctor degree *cum laude* in 2002 from Georgetown University Law Center, where she served as Administrative Editor of the *Georgetown Journal of Law and Public Policy*. In 1998, Ms. Brennan graduated *cum laude* from Furman University with a Bachelor of Arts degree in Political Science.

Ms. Brennan is a member of the District of Columbia, Virginia and Kentucky bars. She is admitted to practice before the United States Court of Appeals for the Federal Circuit, United States Court of Appeals for the Fourth Circuit, United States Court of Federal Claims, United States District Court for the Eastern District of Virginia, United States District Court for the District of Columbia, District of Columbia Court of Appeals, Kentucky Supreme Court, and Virginia Supreme Court.

Professional Associations

American Bar Association, Section of Public Contract Law: Managing Editor, Public Contract Law Journal, 2006-2011

American Bar Association, Contract Claims & Disputes Resolution Committee: Vice-Chair, 2010

American Bar Association, Forum Committee on the Construction Industry: Member

Professional Publications and Speeches

"The Most Important Government Contract Related Decisions of 2010," Webcast, American Bar Association, January 2011

Federal Procurement Institute, March 2010

"Termination for Convenience," *Federal Government Construction Contracts*, Second Edition, (with Joseph D. West), American Bar Association - Forum on the Construction Industry, 2010

The Masters Institute in Government Contract Costs, Federal Publications Seminars, May 2009

"Contractor Business Ethics Compliance Program & Disclosure Requirements," *Briefing Papers Second Series*, (with Joseph D. West, Diana G. Richard, Karen L. Manos, Joseph Barsalona, Philip Koos, and Richard Meene), West Group, April 2009

"Postemployment Conflict-of-Interest Restrictions on Former Employees of the Executive Branch," *Briefing Papers Second Series*, (with Joseph D. West and Diana G. Richard), West Group, February 2009

"Federal Public Construction," Virginia CLE Desk Book on Construction Law, (with Joseph D. West), Virginia Continuing Legal Education, 2008

"The Use of Alternative Dispute Resolution in Federal Claims," Construction Law Handbook Second Edition, (with Joseph D. West), Aspen Law & Business/Wiley Law Publications, 2008

"Popular Concerns Regarding T&M and LH Contracts Are Overrated," *3-5 Costs, Pricing & Accounting Report 39*, (with Darrell J. Oyer), September 2008

"Allowability of Legal Costs in Government Contracting" webcast, (with Karen L. Manos), West Legal Edcenter, April 2008

RECENT PUBLICATIONS

Federal Circuit Denies Petition for Rehearing En Banc in *Geren v. Tecom, Inc.* Upholding the "Very Little Likelihood of Success on the Merits" Standard for Recovering Costs of Defending a Private Employment Discrimination Suit

Contractor Business Ethics Compliance Program & Disclosure Requirements

President Obama Directs Additional Restrictions on Spending of Recovery Act Funds and Lobbying Communications Concerning the Expenditure of Such Funds and Related Policies

Postemployment Conflict-of-Interest Restrictions on Former Employees of the Executive Branch

National Security Implications of Foreign Investment in U.S. Government Contractors

[More Publications](#)

"Key Case Review: Impact of Federal Circuit, Board and Court of Federal Claims Decisions on Government Contract Law," BCA Judges Association Annual Seminar, April 2008

"National Security Implications of Foreign Investment in U.S. Government Contractors," *Briefing Papers Second Series*, (with Joseph D. West, Judith A. Lee, Dave M. Wharwood, and Patrick F. Speice, Jr.), West Group, 2007 - Thomson West

"The Use of Alternative Dispute Resolution in Federal Claims," Chapter 47, *Construction Law Handbook*, (with Joseph D. West), Aspen Publishers 2008 Cumulative Supplement

"Progress Payment Perils," 2-3 *Costs, Pricing & Accounting Report* 24, (with Peter A. McDonald), May 2007

"Suspension and Debarment," *Briefing Papers Second Series*, (with Joseph D. West, Timothy J. Hatch, and Lawrence J.C. Van Dyke), West Group, 2006 - Thomson West